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## **INTRODUCTION**

In accordance with the City Auditor's 1992-93 Audit Workplan, we have audited the operations of the Department of General Services' Vehicle Maintenance Division. In connection with this audit, we reviewed the Vehicle Maintenance Division's process for fueling San Jose Police Department police vehicles, the San Jose Police Department take-home policies and procedures, and the criteria for frequency of replacement of police patrol vehicles, unmarked police "detective" vehicles, and police two-wheeled motorcycles. We conducted this audit in accordance with generally accepted government auditing standards and limited our work to those areas specified in the Scope and Methodology section of this report.

The City Auditor's Office thanks those individuals in the Department of General Services and the San Jose Police Department who gave their time, information, insight, and cooperation. Specifically, we would like to thank the individuals assigned to the Vehicle Maintenance Division for their outstanding responsiveness to our many requests for information.

## **BACKGROUND**

Since 1990, the city of San Jose (City) has purchased the Chevrolet Caprice for its Police Department's patrol vehicles. The City purchased 92 patrol vehicles in 1991-92 on a cooperative bid with the county of Los Angeles. The City criteria is to replace police patrol vehicles every 85,000 miles or within four years of in-service date, whichever comes first. Police two-wheeled motorcycles are to be replaced on or before such motorcycles accumulate 40,000 miles. The criteria for replacing police patrol vehicles and motorcycles are spelled out in the memorandum of agreement (MOA) with the San Jose Peace Officers Association (POA). The current MOA with the POA states, *"In no event shall the vehicles . . . remain in service in excess of 87,000 miles and 42,000 miles, except that should such vehicle acquire the 87,000 or 42,000 miles during an assigned shift . . ."*

Police officers currently get their patrol cars fueled by the Department of General Services' Vehicle Maintenance Division equipment mechanic assistants. Having equipment mechanic assistants fuel police vehicles is a "past practice" and, as such, is part of the current MOA between the City and the POA. Therefore, this is a service that has to continue until such time as the City and the POA can meet and confer on discontinuing said practice.

The City Administrative Manual Section 142 (Employee Transportation) defines the vehicle "take-home" policy. Section 142.5 states that the following conditions must be met to authorize employee use of City vehicles on a 24-hour basis: An employee is required to be on emergency standby duty (subject to call-back), or the employee requires a certain, specially equipped emergency vehicle. Use of vehicles under these conditions are subject to annual City Manager

authorization. Currently, police officers on call and motorcycle officers are permitted to "take home" their City-owned vehicles.

San Jose and two of the ten jurisdictions we surveyed during our audit use the Chevrolet Caprice for their patrol vehicles, while five jurisdictions use the Ford Crown Victoria and three jurisdictions use both the Caprice and Crown Victoria and/or Dodge Diplomat. Unmarked vehicles vary from the Ford Crown Victoria to other Fords to various Chevrolets and Dodges. All of the jurisdictions we surveyed that use two-wheeled motorcycles and San Jose use the Kawasaki 1000 two-wheeled motorcycle. Besides the Kawasaki 1000, one jurisdiction also uses the BMW and one also uses the Harley-Davidson.

Procurement costs varied for the jurisdictions in our survey.<sup>1</sup> For example, patrol vehicles varied from a low of \$12,000 per vehicle in one jurisdiction to a high of \$15,200 in another. Detective vehicles varied from a low of \$9,800 in one jurisdiction to a high of \$15,000 in another. Two-wheeled motorcycles varied from \$4,400 to \$9,400 in the jurisdictions surveyed.

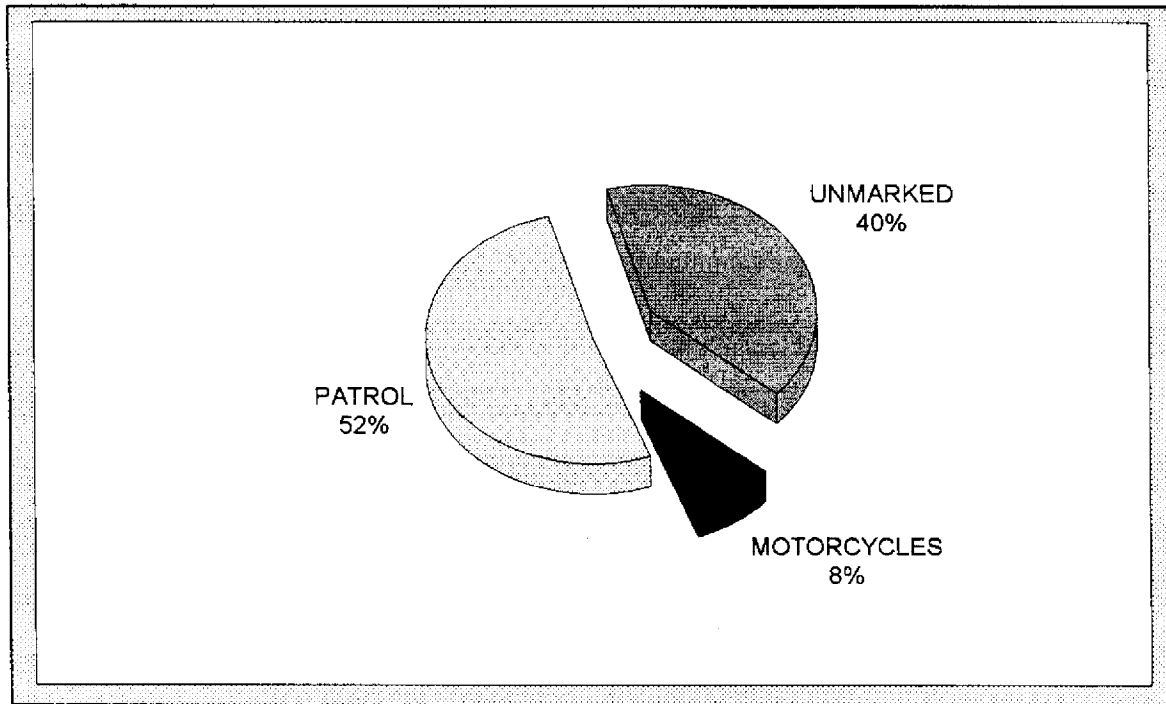
The size of the fleets also varied in the jurisdictions we surveyed. The state of California has a fleet size of 3,700 California Highway Patrol vehicles, whereas San Bernardino's police fleet consists of 123 vehicles. The city of San Jose's police fleet size is 575 vehicles. The City's police fleet is broken down as follows:

- Police patrol -- 297
- Detective and other unmarked -- 233
- Two-wheeled motorcycles -- 45

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<sup>1</sup> Appendices E, F, and G graphically depict the various vehicle procurement costs.

**CHART I**  
**POLICE FLEET MAKEUP BY PERCENTAGE**



Under the current MOA and the replacement criteria specified in said document, the City purchases approximately 90 patrol vehicles, 10 detective vehicles, and 10 motorcycles annually. The current annual cost (including equipment and preparation) of these vehicles totals approximately \$1.6 million.

**Major Accomplishments Relating To The Service Of Police Vehicles**

In Appendix B, the Department of General Services informed the Office of the City Auditor of its major Vehicle Maintenance Division accomplishments for the past three years, several of which relate to the maintenance and replacement of police vehicles. According to the Vehicle Maintenance Division of General Services, it has instituted programs to increase the life of police vehicles and make its work more effective and efficient. Specifically, in its letter to the Office

of the City Auditor, the Vehicle Maintenance Division stated it has accomplished the following:

- Relocated the police patrol vehicle repair section from the Main Yard to the new Communications Center and Police Garage, thus, eliminating costly travel time and increasing productivity, as vehicles are now repaired on site.
- Renovated and re-opened the Municipal Garage car wash which mainly services police vehicles. This has resulted in annual savings of approximately \$25,000.
- Established a warranty recovery program which annually recovers approximately \$95,000 by having the dealers perform warranty vehicle repairs.
- Implemented in-house and factory-sponsored training which is essential to keep pace with the technology of new shop equipment and the electronic evolution of passenger vehicles and light trucks.
- Installed brackets for the Mobile Display Terminals (MDT) in police patrol vehicles and moved the shotgun racks to accommodate the MDTs.
- Manufactured light bar frames for police motorcycles.



## **SCOPE AND METHODOLOGY**

This is our first report on the Department of General Services' Vehicle Maintenance Division. Our objectives were

- To determine the adequacy, effectiveness, and efficiency of the policies and procedures that the Vehicle Maintenance Division follows in replacing and maintaining police vehicles;
- To determine the cost of take-home vehicles, number of officers with take-home vehicles, and adequacy of policies and procedures followed in allowing individual police officers to take home City-owned vehicles;
- To determine whether the Vehicle Maintenance Division's fueling of police vehicles is effective and cost-efficient; and
- To determine if painting of police patrol vehicles is cost-efficient.

We interviewed Vehicle Maintenance Division staff including the fleet manager, analyst, Municipal Garage supervisor, automotive equipment specialist, Main Yard supervisor, and the motorcycle mechanic regarding the maintenance, replacement, fueling, and use of police vehicles. We interviewed Police Department personnel responsible for the police fleet. In addition, we surveyed nine other jurisdictions within the state of California and one in Arizona.

Further, we reviewed the City's policies and procedures relating to take-home vehicles. Finally, we reviewed the current memorandum of agreement with the San Jose Peace Officers Association and its criteria for the replacement of police vehicles.

We limited our review to the criteria for replacement of police patrol and two-wheeled motorcycles, the need for police officers to take home City-owned vehicles, fueling of police vehicles, and painting of police patrol vehicles.

## **FINDING I**

**THE CITY OF SAN JOSE NEEDS TO AMEND ITS  
MEMORANDUM OF AGREEMENT  
WITH THE SAN JOSE PEACE OFFICERS ASSOCIATION  
IN ORDER TO AFFORD THE CITY COUNCIL AND  
CITY ADMINISTRATION THE OPPORTUNITY  
TO SAVE AN ESTIMATED \$488,000 PER YEAR IN VEHICLE  
AND MOTORCYCLE REPLACEMENT AND OPERATING COSTS  
AND \$191,000 IN VEHICLE MAINTENANCE DIVISION STAFF TIME COSTS**

The city of San Jose's (City) memorandum of agreement (MOA) with the San Jose Peace Officers Association (POA) stipulates how often San Jose Police Department vehicles and motorcycles are to be replaced. Our audit revealed that when compared to ten other government jurisdictions,

- The City's MOA with the POA is the only union contract that stipulates when patrol vehicles and motorcycles are to be replaced;
- The City replaces patrol vehicles sooner than seven other jurisdictions; and
- The City replaces police two-wheeled motorcycles sooner than eight of the other nine jurisdictions that use motorcycles.

In addition, the City's MOA with the POA memorializes certain past practices that are outdated, costly, or inefficient. These practices include officers taking home vehicles and motorcycles and Vehicle Maintenance Division equipment mechanic assistants fueling police vehicles. The City will begin negotiating a new MOA with the POA in May 1993, as the current MOA being followed expired on July 4, 1992. Eliminating police patrol vehicle and motorcycle replacement criteria and restrictive past practice language in the City's MOA with the POA would afford the City Council and the City Administration the opportunity to save an estimated \$488,000 per year in vehicle and motorcycle

replacement and operating costs and \$191,000 in Vehicle Maintenance Division staff time costs.

### **The City's MOA With The POA**

The criteria for replacing police patrol vehicles and motorcycles is spelled out in the MOA with the POA. The current MOA states:

#### *Article 21 - **POLICE VEHICLES***

##### *21.1 Vehicle Replacement*

*21.1.1 Every reasonable effort shall be made to replace police patrol vehicles on or before such vehicles have acquired 85,000 miles or within four years of service delivery date, whichever comes first, and to replace police two-wheel motorcycles on or before such motorcycles have acquired 40,000 miles. In no event shall the vehicles referenced in this section remain in service in excess of 87,000 miles and 42,000 miles, except that should such vehicles acquire the 87,000 or 42,000 miles during an assigned shift such vehicles will be used for the balance of such shift, but will not be permitted to remain in service for the succeeding shifts. It is agreed that unforeseen difficulties beyond the control of the City may preclude close adherence to such mileage factors, and such failure to strictly observe such mileage shall not be considered a violation of the Memorandum of Agreement. It is also agreed that police vehicles except those usually referred to as "detective cars," which are regularly and customarily used in patrol type activities, although not distinctively marked, shall be included in the replacement policy referred to herein. [Emphasis added]*

The result of the aforementioned MOA with the POA is that the City and, more specifically, the Vehicle Maintenance Division of the Department of General Services takes police patrol vehicles and two-wheeled motorcycles out of service that are still usable. The City replaces police patrol vehicles every 85,000 miles or within four years of in-service date, whichever comes first. Police two-wheeled

motorcycles are replaced on or before such motorcycles have accumulated 40,000 miles. The City sometimes takes patrol vehicles out of service before they reach the 85,000-mile limit because of the four-year limit. For example, since the beginning of 1992-93, the City has taken out of service 51 police patrol vehicles that reached the four-year time limit specified in the MOA. Of these 51 vehicles, 12 had between 83,000 and 84,000 miles, 5 had between 56,000 and 79,000 miles, and 34 had 85,000 miles. Consequently, the City is taking vehicles out of service that may still be in good mechanical working order and able to perform as police patrol vehicles. The City converted some of these still usable patrol vehicles to training vehicles, but most were sold at auction.

### **Comparison To Other Jurisdictions**

We surveyed<sup>2</sup> nine other jurisdictions within the state of California and one in the state of Arizona to determine how the City's policies and practices regarding police fleet patrol vehicles, unmarked vehicles, and motorcycles compared to the other jurisdictions in the following twelve critical areas:

- Replacement criteria
- Actual replacement
- Type of vehicle
- Cost of vehicle
- Average number of vehicles purchased per year
- Size of police fleet
- Number of take-home vehicles
- Take-home policy
- Cost per mile to operate a vehicle
- Vehicle fueling practices

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<sup>2</sup> Appendix C shows the results of our survey.

- Memorandum of agreement
- Painting of marked patrol vehicles

The jurisdictions we surveyed were:

- The state of California
- Santa Clara County
- Los Angeles County
- The city of Fresno
- The city of Los Angeles
- The city of Phoenix
- The city of Sacramento
- The city of San Bernardino
- The city of San Diego
- The city of San Francisco

We specifically selected the city of Los Angeles and the state of California as part of our survey as Article 21.2 of the City's MOA states that new police vehicles will meet the specifications of patrol vehicles used in these jurisdictions. The other jurisdictions we surveyed were selected based on geographic proximity, comparable size, bidding practices, and possible adverse effects of temperature and climate on the patrol vehicles and two-wheeled motorcycles.

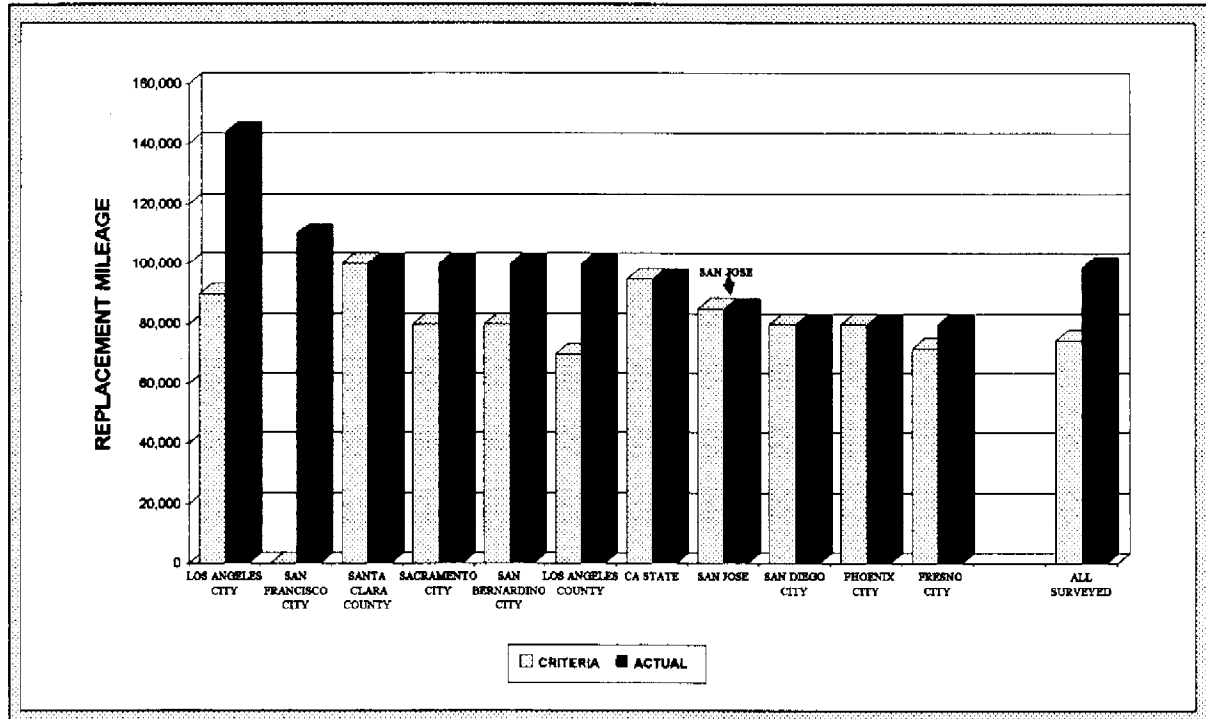
Our survey revealed that while all jurisdictions have criteria for the replacement of their police fleet vehicles, San Jose is the only jurisdiction that has its criteria for replacing police patrol vehicles and two-wheeled motorcycles stipulated in a MOA with the POA. The other jurisdictions surveyed have their replacement criteria established as goals, part of the budget process, or policies.

Our survey also revealed that of the other ten jurisdictions, four are in compliance with their patrol vehicle replacement criteria, while six jurisdictions' actual patrol vehicle replacement mileage is much higher than their replacement

actual patrol vehicle replacement mileage is much higher than their replacement criteria specify. Of the four jurisdictions in compliance with their replacement mileage criteria, two modify their criteria to compensate for increased mileage due to budget constraints. Therefore, actual replacement mileage will always be in compliance with criteria.

Chart II shows that with vehicle replacement at 85,000 miles the City replaces patrol vehicles sooner than seven other jurisdictions. Of these seven jurisdictions, one retains its patrol vehicles for 95,000 miles, four retain patrol vehicles for 100,000 miles, another retains patrol vehicles for 105,000 miles, and the seventh jurisdiction retains patrol vehicles for 144,000 miles.

**CHART II**  
**PATROL VEHICLE REPLACEMENT CRITERIA VS. ACTUAL**

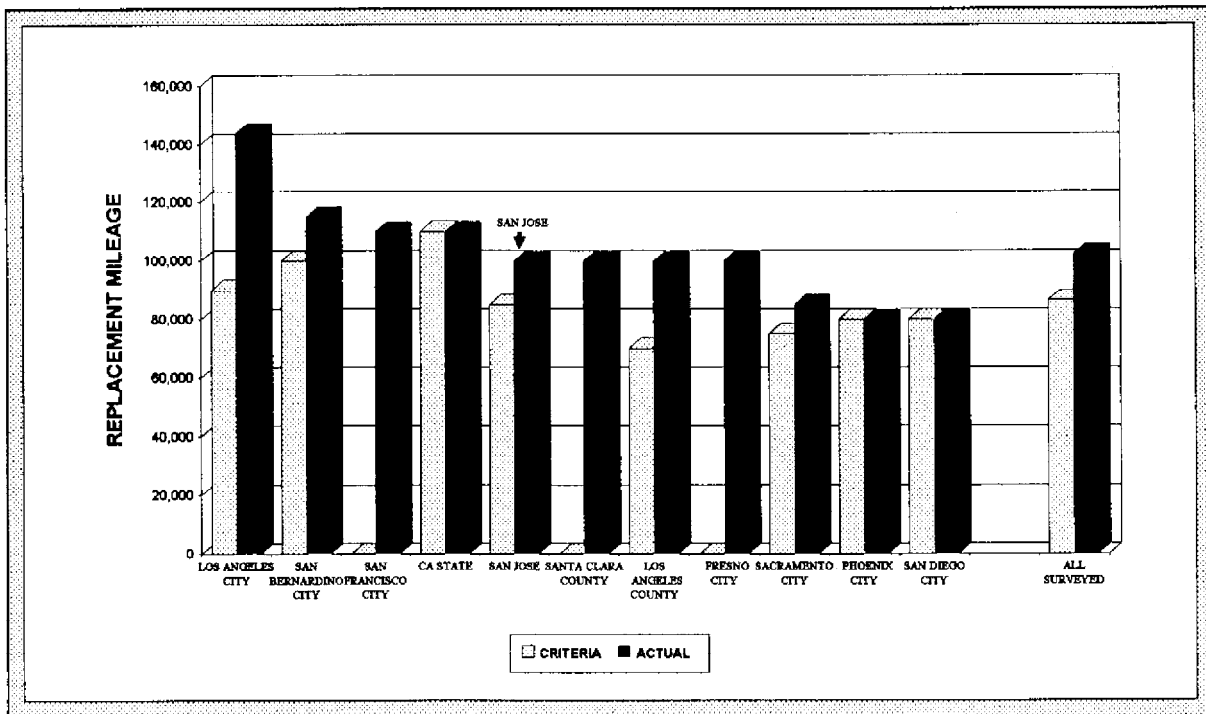


\* San Francisco criterion is based on years. At the actual replacement in ten years, there are approximately 105,000 miles on the vehicles.

Chart III shows that the City replaces "detective" (unmarked) vehicles at approximately 100,000 miles. Only three of the jurisdictions we surveyed replace their detective vehicles sooner than San Jose, while four other jurisdictions replace their unmarked vehicles beyond 100,000 miles.

**CHART III**

**UNMARKED VEHICLE REPLACEMENT CRITERIA VS. ACTUAL**



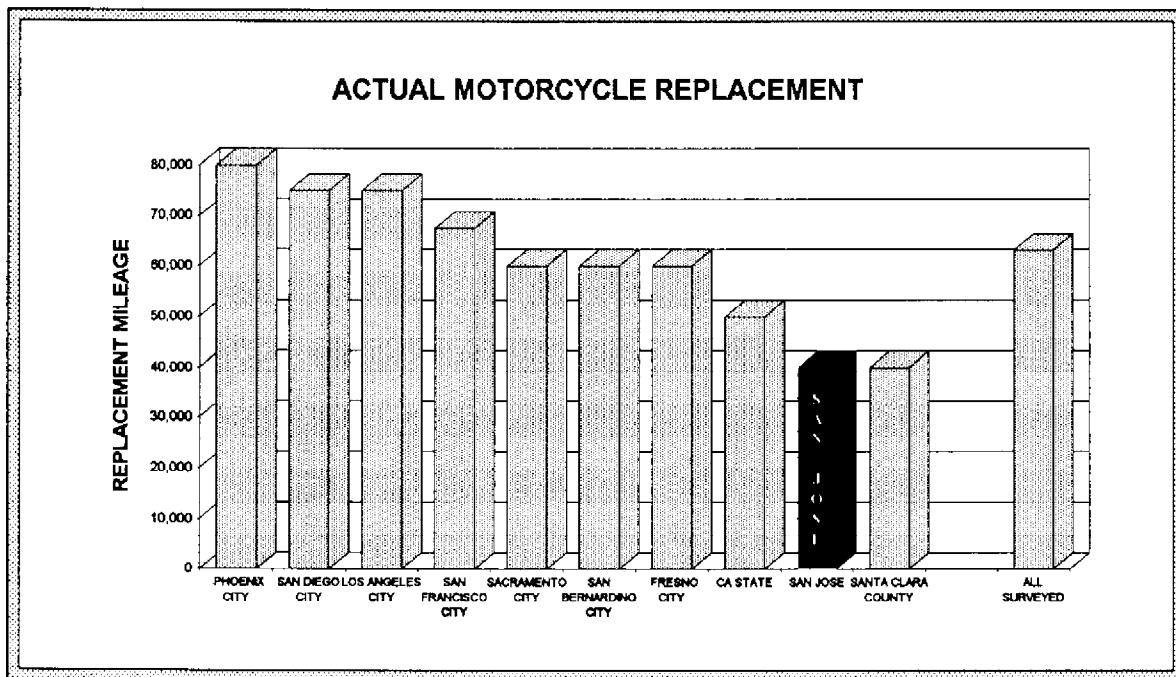
Santa Clara County, the city of San Francisco, and the city of Fresno replace unmarked vehicles based on time and not mileage. Santa Clara County is currently replacing unmarked vehicles at ten years. According to Santa Clara County's fleet manager, after ten years the vehicles have close to 100,000 miles on them. The city of San Francisco is replacing unmarked vehicles at ten years. Normally, 110,000 miles or more will have accumulated during this ten-year

period of time. The city of Fresno is replacing unmarked vehicles every three to four years with between 75,000 and 100,000 miles on them.

Chart IV shows that at 40,000 miles the City replaces two-wheeled motorcycles sooner than eight of the other nine jurisdictions that use motorcycles (Los Angeles County does not use motorcycles).<sup>3</sup> Both Santa Clara County and San Jose replace their two-wheeled motorcycles at 40,000 miles. Furthermore, the City replaces its motorcycles at less than two-thirds the average mileage of all jurisdictions surveyed (63,000 miles). Finally, the City replaces its motorcycles at almost twice the rate of three of the jurisdictions.

CHART IV

**ACTUAL MOTORCYCLE REPLACEMENT**



\* San Francisco's criterion is based on years. At the actual replacement in seven years, there are approximately 67,500 miles on the motorcycles.

<sup>3</sup> Appendix D shows criteria versus actual replacement mileage for two-wheeled motorcycles.



In our opinion, the City replaces its motorcycles too frequently. When the motorcycles reach the 40,000-mile replacement criterion, the City either converts these to training motorcycles or sells them at auction. For example, one motorcycle with 40,300 miles was sold to the city of Watsonville. The city of Watsonville spent approximately \$2,000 bringing the motorcycle up to patrol standards by replacing such things as tires, brakes, siren switch, on/off switch, and neck bearing. This motorcycle is in "full" service for the city of Watsonville.

We interviewed the police officer that uses this motorcycle. According to the officer, (1) the motorcycle is in good condition, (2) he anticipates riding it for 60,000 or more miles, and (3) he uses it on a daily basis to perform the same patrol functions that a San Jose motorcycle officer would perform. At the end of our interview, the officer requested the name of the City's auction coordinator so he or his superior could discuss purchasing other motorcycles from San Jose.

#### **Outdated, Costly, And Inefficient Past Practices**

Outdated, costly, and inefficient past practices are costing the City thousands of dollars annually. For example, allowing police officers to take home City vehicles costs the City approximately \$133,000 annually. Furthermore, the Vehicle Maintenance Division is providing a total of 9,100 person hours annually to fuel police vehicles. This "full service" fueling policy is costing the City \$191,000 annually in Vehicle Maintenance Division staff time that could be used for other services. Both taking home of police vehicles and fueling of police vehicles are "past practices," and, as such, they are considered part of the City's MOA with the POA even if not specifically mentioned in the MOA. As a result, these practices have to continue until the City and the POA meet and confer and agree to modify the MOA regarding these practices.

## **Take-Home Vehicles**

The City Administrative Manual Section 142 (Employee Transportation) defines the City's policy on take-home vehicles as follows:

### *Section 142.5 Standards for Assignment*

- F.*
- 1. Incumbents of Director/Department Head positions and other selected positions as designated by the City Manager are authorized the use of a City vehicle on a 24-hour basis.*
  - 2. In addition, employees may be authorized the use of City vehicle on a 24-hours basis if the following conditions apply:*
    - a. Employee is required to be on emergency standby duty (subject to call back). Identification of such emergency standby duty by departments shall be approved by the City Manager on an annual basis.*
    - b. Employee requires a certain specially-equipped emergency vehicle, such as Police or Fire, upon specific request, and annual authorization by the City Manager.*

When compared to other jurisdictions' take-home policies, San Jose's policy is outdated and vague. Also, the City's policy exerts no control over distances traveled between work and home with City vehicles or employees compensating the City for vehicle use. Furthermore, there is no procedure to require employees to document the use of City vehicles during off-duty hours. Finally, the lack of a comprehensive City policy on take-home vehicles is costly to the City.

Our survey of other jurisdictions revealed that six of the ten surveyed jurisdictions have written, vehicle take-home policies that include language regarding the issues of distances between work and home, home storage of vehicles, and justifications for take-home vehicles.

For example, the city of Los Angeles has strict guidelines on the use of take-home vehicles. Employees wishing to "home-garage" their vehicles must demonstrate in a written application that the practice benefits the city. Once granted, the authorized employees are then required to keep a log of the mileage accumulated during off-duty hours and the activities for which the vehicle is used. In this manner the city is able to determine if the take-home vehicle is serving the purpose for which it was assigned. Furthermore, the city of Los Angeles requires detectives to pick up and drop off their city take-home vehicles at a substation. An equivalent policy for the city of San Jose would be for detectives to leave their vehicles at a fire station or a service yard.

The city of Fresno has a take-home policy which states that city vehicles may not be driven home outside of a stated area, such as the jurisdiction patrolled. This area is known as the "*sphere of influence*" (Appendix H). Police officers who live outside of the sphere of influence do not take vehicles home. The city of San Bernardino has a similar policy which states that "*regular take home and commuter use by non-resident city employees, beyond the limitation noted above [sphere of influence], requires a monthly payment to the city based on a 11.5 cent per mile charge. . .*" (Appendix I).

A Police Department committee formed to examine the Department's take-home policy recommended the elimination of several take-home vehicles. Specifically, in November 1992, the committee recommended the elimination of one take-home vehicle assigned to the Police Athletic League, one assigned to the captain of Communications, and two take-home vehicles assigned to City Attorney investigators. The committee was unable to reach consensus on 12 other take-home vehicles and 30 motorcycles.

On December 21, 1992, the Assistant Chief of Police wrote a memorandum to the Chief of Police establishing 54 as the number of take-home police vehicles for the San Jose Police Department. Of these 54 vehicles, 10 were for administrative staff and 44 were unmarked "detective" vehicles. This memo stated that the ". . . *total number of [take-home] vehicles is justified based on investigative or on-call responsibilities.*" According to the Assistant Chief of Police, since December 1992, the San Jose Police Department has reduced the number of take-home vehicles from 54 to 47 and further reductions may be made.

The Police Department committee reviewing its vehicle take-home policy noted that ". . . *it has been a tradition that the motor assignment included use of the motorcycle as a take home vehicle.*" As a result, there are 36 motorcycles currently taken home by the officers assigned to the motorcycle. In our opinion, this tradition is outdated. For example, motorcycle officers used to provide funeral escort service but have not done so for several years. Currently, motorcycle officers can use their motorcycles to commute to court and commute to off-duty jobs. This is a practice that is not available to other patrol officers. Furthermore, the Police Department committee felt that take-home vehicles, motorcycles as well as cars, should not be driven to and from off-duty pay jobs. Finally, there does not seem to be any duty that the motorcycle officer could not perform during off-duty hours in a personal vehicle rather than on a City motorcycle. For instance, motorcycle officers could still wear their uniforms to court appearances and for off-duty jobs regardless of whether they use a City motorcycle to reach their destinations.

In addition to tradition, the Police Department committee pointed out that another reason motorcycle officers take home motorcycles is in case the officer is called in for traffic control duty. This implies that the motorcycle officer should be

able to respond in a short period of time, when, in fact, some of the motorcycle officers would not be able to do so as they are regularly commuting from outside the San Jose area, or the *sphere of influence*, they are charged with policing. For example, four motorcycle officers are commuting from the Santa Cruz area. We estimate that the taking home of these four City-owned motorcycles costs the City an additional \$28,000 annually in operating and maintenance costs.

The city of San Francisco's general practice is to not assign motorcycles as take-home vehicles. However, there are four motorcycle officers who live within the boundaries of the city of San Francisco that are allowed to take their motorcycles home. The city of Fresno also permits officers living within the city's sphere of influence to take home motorcycles. The city of Fresno also has specific criteria on the home storage of city-owned vehicles. In addition, the city of Phoenix permits officers living no more than one mile outside the city limits to take motorcycles home. Officers living outside this limit are allowed to take their motorcycles to the police substation nearest their homes. Phoenix also expects motorcycle officers to write citations when commuting on city motorcycles. Phoenix tracks citations on a monthly basis, and if officers are not writing "take-home" citations, they lose their motorcycles as commute vehicles. Further, Phoenix imposes certain criteria on the storage of motorcycles at officers' homes. For example, the motorcycles must be stored out of the elements in a secure area away from gas heaters. Finally, we determined that the state of California, the city of Sacramento, and the city of San Diego are currently reviewing the practice of allowing motorcycle officers to commute with their motorcycles.

### **Fueling Of Police Vehicles**

Currently, the Vehicle Maintenance Division provides, on a daily basis, two individuals to fuel police officers' vehicles. Consequently, Vehicle Maintenance personnel spend 175 hours a week, or 9,100 hours per year, fueling police vehicles. With an average cost of \$21 per hour, we estimate this police vehicle fueling service costs the City \$191,000 annually. In our opinion, this practice is not only unnecessarily costly, but one the Municipal Garage can no longer afford to perform. The Municipal Garage used to have 24 equipment mechanic assistants (EMAs) with eight on each of three shifts. Now the Garage has only 17 EMAs with 6 EMAs on days and swing shift and 5 EMAs on graveyard. With seven-day-a-week coverage, the Garage has only three to four EMAs working on any given day, with one of those EMAs fueling police vehicles full time and one fueling police vehicles for two hours at each shift change. Thus, at times there are only one or two EMAs a day to do the balance of the required vehicle service the Municipal Garage performs.

The current fueling policy for police vehicles is inefficient. Specifically, EMAs are fueling vehicles for police officers who are perfectly capable of fueling their own vehicles. Audit staff observed on several occasions that while some police officers pump their own fuel, the majority stand or sit in their patrol cars and watch the EMAs fuel their vehicles. Furthermore, each police vehicle has a fueling key (computer chip) assigned to it. This chip, along with the vehicle operator's personal identification number, allows the officer to fuel his/her own vehicle. Finally, because officers fill their vehicles' tanks at the beginning of their shifts, some police vehicles have so little fuel in them that the vehicles run out of fuel while the police officers are waiting for their "beat packs" to be issued from the

Central Supply. These stalled vehicles can cause significant delays in getting police officers out on their beats.

The Vehicle Maintenance Division has attempted to have the fueling practice changed, but as of yet has been unsuccessful. It is our understanding the POA is concerned that police officers may spill fuel on their uniforms or in some way get themselves dirty if the police officers fuel their own vehicles before the start of their shifts. This concern can be negated by having the police officers fuel their vehicles at the end of their shifts.

Switching to an end-of-shift fueling practice would also eliminate the problem of running out of fuel cited above. In addition, fueling vehicles at the end of the shift would be much more efficient, especially if officers were required to refuel their vehicles at the fueling station closest to their area of patrol toward the end of their shifts. By so doing, the long lines waiting for fuel at one central location would be eliminated. Once the new Municipal Garage fueling station is operative, the City will have six fueling stations dispersed throughout the City. Such a configuration should facilitate decentralized fueling of police vehicles.

Our survey of ten other jurisdictions revealed that eight of the jurisdictions require their police officers to fuel their own vehicles on at least two shifts (swing and graveyard). Only two of the jurisdictions have full-time attendants for fueling police vehicles. In addition, six of the jurisdictions we surveyed require their police officers to leave a quarter to a full tank of fuel in their vehicles at the end of their shifts. Finally, it should be noted, given that the City may want to extend the life expectancy of patrol vehicles and motorcycles as described earlier, the use of EMAs to fuel police vehicles constitutes a very poor use of a limited resource. By

using EMAs to perform more extensive maintenance on police vehicles, the City may be able to realize a longer useful life for its police vehicles.

### **Benefits Of Amending The MOA With The POA**

Under the current MOA with the POA, the City Council and the City Administration have no control over when replacement police patrol vehicles and two-wheeled motorcycles will be purchased. Furthermore, Police Department administration cannot change memorialized past practices even though they may be outdated, costly, or inefficient.

For example, by eliminating Article 21, Section 21.1, of the MOA, the City Administration would be free to establish its own guidelines for purchasing police patrol vehicles and two-wheeled motorcycles based on vehicle condition. One scenario could be replacement at 105,000 miles for patrol vehicles and 60,000 miles for two-wheeled motorcycles. Under this scenario, 21 fewer police patrol vehicles and 5 fewer motorcycles would need to be purchased annually. With an average cost of \$14,800 per patrol vehicle and \$7,300 per motorcycle, replacement purchasing costs would be reduced approximately \$347,000 annually. Total net cost reduction for the City would be as follows:

Vehicle Replacement Savings (\$14,800 x 21)	\$310,800
Motorcycle Replacement Savings (\$7,300 x 5)	36,500
Labor Savings From Emergency Equipment Not Installed	13,900
Increased Motorcycle Repair Costs To Extend Life	<u>(6,000)</u>
Net Annual Cost Reduction For Replacement Vehicles	<u>\$355,000*</u>

\* Rounded to nearest thousand.



In addition, eliminating past practices that are outdated, costly, or inefficient could reduce costs further. Specifically, commuting and replacement cost savings could be generated by discontinuing the "traditional" past practice of allowing motorcycles to be taken home. The Police Department committee formed to examine the Department's take-home policy determined motorcycle take-home mileage to be 200,000 miles annually. Therefore, motorcycle take-home mileage costs the City approximately \$95,000 annually. For example, the four motorcycles driven to and from Santa Cruz accumulate 60,000 commute miles annually at a cost of \$28,000. The committee estimates that the Department could purchase five less motorcycles per year if they were not used for take-home. By eliminating this traditional past practice, the City could reduce motorcycle commuting and replacement costs by \$133,000 annually as follows:

Cost Savings From Elimination of Take-Home Motorcycles	\$95,000
Motorcycle Replacement Savings (\$7,300 x 5)	36,500
Labor Savings From Emergency Equipment Not Installed	<u>1,800</u>
Net Annual Cost Reduction	<u>\$133,000*</u>

\* Rounded to nearest thousand.

In addition to these costs, the practice of using motorcycles as take-home vehicles renders them out of service during the days that the motorcycle officers do not work. Since motorcycle officers work four ten-hour shifts per week, there are three days per week that they do not work. Since motorcycle officers are permitted to take their motorcycles home, their vehicles are not available for City use during the three days per week they do not work.

## **CONCLUSION**

The city of San Jose's (City) memorandum of agreement (MOA) with the San Jose Peace Officers Association (POA) stipulates how often San Jose Police Department vehicles and motorcycles are to be replaced. Our audit revealed that when compared to ten other local jurisdictions,

- The City's MOA with the POA is the only union contract that stipulates when patrol vehicles and motorcycles are to be replaced;
- The City replaces patrol vehicles sooner than seven other jurisdictions; and
- The City replaces police two-wheeled motorcycles sooner than eight of the other nine jurisdictions that use motorcycles.

In addition, the City's MOA with the POA memorializes certain past practices that are outdated, costly, or inefficient. These practices include officers taking home vehicles and motorcycles and Vehicle Maintenance Division equipment mechanic assistants fueling Police Department vehicles. The City will begin negotiating a new MOA with the POA in May 1993. Eliminating police patrol vehicle and motorcycle replacement criteria and restrictive past practice language in the City's MOA with the POA would afford the City Council and the City Administration the opportunity to save an estimated \$488,000 per year in vehicle and motorcycle replacement and operating costs and \$191,000 of Vehicle Maintenance Division staff time costs.

## **RECOMMENDATIONS**

We recommend that the City Administration and the City's negotiating team:

### **Recommendation #1:**

Negotiate with the Peace Officers Association to eliminate from the memorandum of agreement Article 21, Section 21.1. In its place establish a City policy making vehicle condition the criteria for replacement and make the fleet manager the individual responsible for determining which vehicles should be replaced. (Priority 1)

### **Recommendation #2:**

Meet and confer with the Peace Officers Association on eliminating the take-home tradition for two-wheeled motorcycles and other unnecessary take-home vehicles. (Priority 1)

### **Recommendation #3:**

Meet and confer with the Peace Officers Association on eliminating the past practice of providing a fueling service for police officers. (Priority 1)

Further, we recommend that the Police Department:

### **Recommendation #4:**

Develop a comprehensive fueling policy stating where and when police officers should fuel their vehicles and how much fuel should be in the vehicles at the end of the shift. (Priority 2)

Also, we recommend that the City Council in conjunction with the City Administration:

**Recommendation #5:**

Update the current section of the City Administrative Manual on employee transportation to include language defining a City-wide sphere of influence and stipulating how employees will compensate the City for taking a City vehicle beyond the City's sphere of influence. (Priority 2)

## **FINDING II**

### **THE CITY OF SAN JOSE CAN SAVE AN ESTIMATED \$53,000 PER YEAR BY NOT PAINTING SAN JOSE POLICE DEPARTMENT VEHICLES WITH TRADITIONAL COLORS**

The city of San Jose (City) annually pays \$17,000 for the traditional blue and white paint on its 90 new vehicles and pays another \$36,000 to repaint the 90 vehicles taken out of service. Our audit revealed that several other local jurisdictions do not paint their police patrol vehicles in the traditional black and white or similar traditional colors. By changing the color scheme for the Police Department vehicle fleet to a basic white plus logo, the City could save an estimated \$53,000 per year in painting and repainting costs. Over the life of the current fleet of 300 vehicles, the City could save an estimated \$177,000 in painting and repainting costs.

#### **Number Of Vehicles Painted And Repainted**

Currently, the City replaces a police patrol vehicle within four years or 85,000 miles. At this replacement rate, one-fourth of the police patrol fleet of approximately 300 vehicles is replaced each year. Furthermore, there are ten fleet additions each year and approximately five vehicles replaced due to accidents each year. Accordingly, 90 new police patrol vehicles are placed in service each year and a corresponding number of police patrol vehicles are taken out of service each year.

#### **Other Jurisdictions**

Our survey of ten other jurisdictions revealed that three of the ten keep their police patrol vehicles white. The distinguishing mark on the white police patrol

vehicles is the city's logo on the front doors of the vehicle and in some cases a colored strip (taped, not painted on) running the length of the vehicle.

Of the ten jurisdictions that have their police patrol vehicles painted, three pay extra for the painting and three were not sure and were not able to provide any information to indicate if they paid extra for the painting or not. The cost of painting new vehicles ranged from a high of \$190 per vehicle to a low of \$166 per vehicle.

### **Cost Savings**

The Vehicle Maintenance Division director has submitted a budget reduction requesting that police patrol vehicles be left white. The resulting cost savings would be significant. For example, not painting the replacement police patrol vehicles in the traditional blue and white color scheme would save the City \$189 per vehicle. This, in turn, would eliminate the need to repaint those police patrol vehicles one color when taken out of service and would save the City \$400 per vehicle. With an average of 90 vehicles being replaced annually, the resulting savings to the City could be \$53,000 annually. Over the life of the current police patrol fleet of 300 vehicles, the savings could be as high as \$177,000.

As was noted in Finding I, memorialized past practices are considered part of the City's memorandum of agreement (MOA) with the Peace Officers Association (POA) even if not specifically mentioned in the MOA. According to San Jose Police Department and City Administration officials, the color of police vehicles may constitute a past practice that should be part of the City's negotiations with the POA when bargaining begins for a new MOA in May 1993.

## **CONCLUSION**

Our audit revealed that several other local jurisdictions do not paint their police patrol vehicles in the traditional black and white or similar traditional colors. By changing the color scheme for the San Jose Police Department vehicle fleet to a basic white plus logo, the City could save an estimated \$53,000 per year in painting and repainting costs.

## **RECOMMENDATION**

We recommend that the City Administration and the City's negotiating team:

### **Recommendation #6:**

Negotiate with the Peace Officers Association to allow the Vehicle Maintenance Division of the Department of General Services to change the bid specifications for police patrol vehicles to reflect a basic white paint scheme.  
(Priority 3)